

ENTERED

December 13, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:

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CASE NO: 23-645

**In re Professional Fee Matters Concerning
the Jackson Walker Law Firm**

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ORDER

SETTING NON-EVIDENTIARY ELECTRONIC STATUS CONFERENCE

On December 5, 2023 in Case No. 21-30936, *In re Brilliant Energy, LLC*, this Court entertained oral arguments regarding the “United States Trustee’s Motion For Withdrawal of The Reference and Referral Of Motion For Relief Under Rule 60(b)(6) and Related Matters”¹ filed by the United States Trustee, Region 7 for the Southern District of Texas, on November 3, 2023 (“*Motion for Withdrawal of the Reference*”). The United States Trustee has filed similar motions in sixteen (16) additional cases² (“*Affected Cases*”) requesting identical relief, to wit: “the United States Trustee respectfully requests that the Court: (i) withdraw the reference of the Rule 60 Motion to the Bankruptcy Court pursuant to 11 U.S.C. § 157(d) and (ii) refer the Rule 60 Motion to District Judge Moses on the same basis provided in the General Order. The United States Trustee also requests that the Court grant such other and further relief as this Court deems just and appropriate” (the “*Sixteen Additional Cases*”).³

The United States Trustee has also filed motions seeking relief from orders approving any applications for compensation and reimbursement of expenses filed by Jackson Walker, LLP (“*Motions for Relief from Final Judgment*”).⁴

On December 9, 2023, the undersigned commenced Case No. 23-645 styled as *In re Professional Fee Matters Concerning the Jackson Walker Law Firm* (the “*Miscellaneous Proceeding*”) consolidating the seventeen pending Motions For Withdrawal of the Reference and Motions for Relief from Final Judgment in the Affected Cases.⁵

Due to the identical nature of the pleadings in the Affected Cases, this Court is prepared to submit its report and recommendation to the United States District Court on whether the reference to the bankruptcy courts in the seventeen (17) Affected Cases⁶ should be withdrawn based on the pleadings, admitted exhibits and arguments presented at the December 5, 2023, hearing. Nevertheless, at the time of the December 5, 2023, hearing, the parties did not have the benefit of the instant Miscellaneous Proceeding. Accordingly, it is therefore

¹ Case No. 21-30936, ECF No. 255.

² See Case Nos. 18-35672, 20-20184, 20-32021, 20-32519, 20-32564, 20-33233, 20-33295, 20-34758, 20-35561, 20-35740, 21-30427, 21-30936, 21-31861, 21-90002, 21-90054, 22-50009, 22-90018.

³ See e.g Case No. 21-30936, ECF No. 255 at 7.

⁴ See Case Nos. 18-35672, 20-20184, 20-32021, 20-32519, 20-32564, 20-33233, 20-33295, 20-34758, 20-35561, 20-35740, 21-30427, 21-30936, 21-31861, 21-90002, 21-90054, 22-50009, 22-90018.

⁵ ECF No. 1.

⁶ *Id.*

ORDERED: that

1. On December 21, 2023, at 9:00 a.m. (Central Standard Time), a non-evidentiary electronic status conference shall be held before the United States Bankruptcy Court, Houston Division.
2. At the status conference:
 - a. Jackson Walker, LLP and the United States Trustee (the “*Parties*”) should be prepared to address the Court as to whether they wish to supplement their December 5, 2023, arguments regarding the Sixteen Additional Cases in which Motions to Withdraw the Reference have been filed or whether the Parties are prepared for this Court to submit its report and recommendation to the United States District Court based on the pleadings, admitted exhibits, and arguments presented at the December 5, 2023 hearing and be bound by the determination made by the United States District Court as it pertains to the instant Motion to Withdraw the Reference⁷ and the Sixteen Additional Cases.⁸
 - b. Additionally, in its Motion to Withdraw the Reference, the United States Trustee indicated that, “[t]his case is one of at least 26 in the United States Bankruptcy Court for the Southern District of Texas in which the integrity and administration of the bankruptcy system were compromised...”⁹ As such, at the December 21, 2023 status conference the United States Trustee should be prepared to discuss whether the United States Trustee intends on filing any additional Motions for Relief from Final Judgment and Motions for Withdrawal of the Reference in any of the remaining Affected Cases, and if so, a timeline as to when that could be accomplished.
 - c. Additionally, if the United States Trustee does intend on filing identical Motions to Withdraw the Reference in additional cases, the Parties should be prepared to argue as to why a ruling of the United States District Court on the currently pending Motion to Withdraw the Reference¹⁰ should not also be binding on the Parties as it pertains to any new filed Motions to Withdraw the Reference in any additional cases.
 - d. Finally, the Parties must be prepared to identify any indispensable parties that must be joined in this Miscellaneous Proceeding to enable the Court to grant effective relief.
3. To participate electronically, parties must follow the instructions set forth on Judge Rodriguez’s web page located at: <https://www.txs.uscourts.gov/content/united-states-bankruptcy-judge-eduardo-v-rodriguez>. Parties are additionally instructed to: (i) call in utilizing the dial-in-number for hearings before Judge Rodriguez at **832-917-1510**, conference room number 999276 **and** (ii) log on to GoToMeeting for video appearances and witness testimony, utilizing conference code: judgerodriguez. **Parties MUST HAVE TWO SEPARATE DEVICES to appear by video and telephonically. One device will**

⁷ Case No. 21-30936, ECF No. 255.

⁸ *Id.*

⁹ *Id.* at 2.

¹⁰ *See id. generally.*

be used to log on to GoToMeeting and the other will be used to call the telephonic conference line.

4. Parties must comply with Bankruptcy Local Rule 9013-2 and Judge Rodriguez's Court Procedures Section VII(b) regarding the exchange and submission of electronic exhibits.
5. No later than December 15, 2023, the United States Trustee must serve a copy of this Order on all parties entitled to notice of the hearing and file a certificate of service with the Clerk's office.

SIGNED December 13, 2023



Eduardo V. Rodriguez
Chief United States Bankruptcy Judge